Govt. II-27—45,006—19-10-39.

Edn & P.H.

(1941.) Department.

Ms. SERIES.

G.O. No. 293, P.H

12

Dated 22nd January 1941.

[Despatch Abstract.]

Fairs and festivals - Sri Baswaswaraswami car festival - Kottur Panchayat Board, Bellary District - Levy of tolls - Notification under section 118(1) of the Madras Public Health Act. 1939 - Issued.

Refer No: 183/40 P

PANCHAYAT BOARD KOTTUR.

Dated 24-10-1940.

Sri M.M.J. Channabasappiah

President Pa nchauat Board
Kottur.

To,

The Local Administration Department
Madras.

Through

The President District Board

Bellary.

Sir,

The Kottur Sri Basaweswaraswami Car-Festical was notified under the Madras Public Health Act G.O.No. M.530 P.H. dated12-2-40 in C.No.917/39 dated 27-3-40 The District Health Officer Bellary has suggested that the Government might be addressed for permission to leavy of tolls. on vehicles and animals , during the period of the festival. Therefore It is ~~prayed~~ prayed that neceasary permission be accorded to leavy the tolls on vehicles and animals.

President Panchayat Board

Kottur.

Copy of letter C.R. No. 713-40 dated 17-12-40 from the District Health Officer, Bellary to the Director of Public Health, Madras.

-oOo-

The copy of the resolution of the Panchayat Board agreeing to the notification under section 118 of the Public Health Act, and the rates at which the fees should be levied is obtained and sent herewith.

-oOo-

Extract from the proceedings of the Panchayat Board, Kottur Dated 30th November, 1940.

-oOo-

Resolution No. 1. As per orders of the Director of Public Health, Madras, C.R. No. 39860-1-FF dated 6-11-40 it is resolved that fees may be levied on vehicles and animals under section 118(1) of the Madras Public Health Act, 1939 at the following rates.

One anna per bullock, horse, cows and buffalows may be levied only if they are for sale in the Jatra, Two annas for each bicycle may be levied.

For goats and sheep 0-0-6 i.e., for sale.

0-0-4 for every square yard may be levied for the temporary pandals fixed during the festival days.

Sd. M.M.J. Chennabasappaiah,
President.

-oOo-

MDS C 4995/40 5 E 39860

Forwarded to the Secretary Education and Public Health Department with the Government of Madras Compliments

Director of Public Health Madras

357

President District Board
Bellary 2.11.40

4/11/40

Office of the Director of Public Health, Madras,
Dated 3rd January, 1940.

R.No. 45965-1-FF.

Forwarded and recommended.

Lt. Col. I.M.S.
Director of Public Health, Madras

To

The Secretary to Government,
Education and Public Health Dept.

NRH/4-1

4/1

CNo.357/E2 P.H

Edun. & P.H. Deptt.
E2 Section

7

Read: From the P.P.B, Kottur, Refce. R.No. 183/40 dt 24.10.40

From the P.D.B, Bellary, N.dis.C.A995/40 dt 2.11.40.

From the D.P.H, R.No. 45962-IFF dt 3.1.41.

Sub:

Fairs & festivals - Sri Baswesvaraswami Car festival - Kottur Panchayat Board - Bellary District - levy of tolls - Notifn under sec. 118 (i) of the M.P.H Act, 1939 - Issue of

The President, Panchayat Board, Kottur (Bellary dt) has submitted proposals for the levy of tolls, under sec. 118 (i) of the M.P.H. Act 1939, during the Sri Baswesvaraswami Car festival (in the Panchayat area) ~~under sec 118~~ the festival has been notified under section 116(i) of the M.P.H Act, 1939 - Vide G.O. No. 530 P.H. dated the 12th February 1940. The P.D.B, Bellary and the D.P.H recommend the proposal (to levy tolls) It may therefore be accepted.

2. The festival has been notified for a period of 20 days ie 12 days before and 7 days after the Maha Bahula Dasami day. The Panchayat Board, Kottur, proposes to levy tolls during

the whole festival period. This also may be agreed to.

3. As regards the rates of tolls proposed to be levied, the following remarks are called for.

i) The Panchayat Board proposes to levy tolls on Bicycles only and not on any other conveyances like bullock carts. The rate for Cycles is two annas, which is more or less the rate sanctioned by Government in similar cases. Recently, however, a rate of ~~one~~ one anna for cycles ~~is the one usually~~ has been adopted rate. (vide G.O's below).

we can accept their proposal. No need to bind ourselves to uniformity

(ii) The Panchayat Board proposes to levy tolls on bullocks, horses, Cows and buffaloes at a flat rate of ~~one~~ anna each, only if they are intended for sale. It will be rather difficult to discriminate which are intended for sale and which not. It seems desirable to levy tolls on all the ~~cattle~~ animals entering the area whether for sale or not as is usually done.

yes for administrative reasons. We can exempt their own people under para 3(iii)

For goats & sheep it is proposed to levy 2 P. per each. The rates are same as normal - ~~trade~~ ~~G.O. No. 578 P.W. Dt. 2/10/70~~

~~(iii) The rates proposed in Sub-paras (i) & (ii) above may therefore be accepted.~~

(iii) The Panchayat Board also wants to levy a tax on temporary

I vcannot come under 118 D.H.Act.
P.W.S. 1
1.2.
212 (2) of the M.L.B.Act

pandals. This is usually not proposed to be sanctioned by Govt as it is in the nature of a licence fee under section 212 may be dropped.

2. It is usual to refer such doubtful cases to Collectors for their remarks with special reference to rates of tolls proposed & the duration of the levy. But as the rates are not very much high, they may be accepted and it seems unnecessary to refer this to the Collector.

3. A draft order is submitted below for approval. It may go to L.A. Deptt. for acceptance & Legal Department for scrutiny.

Draft as usual
11.1.41
11.1.41

15.1

L.A
Legal

L.A

Accepted in L.A
15/1

Legal

Legal Department.

As the area was notified only as a festival centre and not as a fair and festival centre the words "fair and festival centre" in the notification should be changed into "festival centre".

As it is proposed to levy tolls only on bicycles

of K/5

G.P.H. No. No. 357-1 Ex.14
15.1.41

SECRETARY TO GOVERNMENT
15 JAN 1941
LOCAL ADMINISTRATION DEPT.

ASSISTANT SECRETARY
16 JAN 1941

p. 14 of (N)
L.A.20-1189-1-B2
16/1/41

10

E9/25

the word "vehicle" wherever it occurs may be changed into "bicycle".

The slight alterations indicated in red ink on the draft may be made.

I Rgl
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S

Rgl
17/1/41

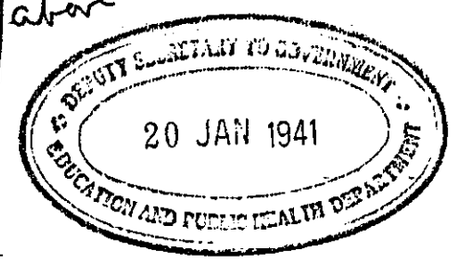
E&PH

E&PH
E2

Legal - 313.1
17-1-41

The alterations and corrections suggested above by legal Department have been carried out.

2. The draft order may now issue.



Vmm
20.1.41

all
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23/22/1

11

C.F. 16.

DRAFT FOR APPROVAL.

Edun & P.H. Department.

Ez Section

Date. Initials.

SUBJECT:—

When received for fair copying ..		
When copied ..	A.Sh. 22/1.	
When examined..		
When signed ..		
When despatched.		

Fairs & festivals - Sri Baswaswararswami car festival - Kottur Panchayat Board - Bellary Dt. - Levy of tolls - Notifn under sec. 118(3) of the M.A.H.Act 1939 - Issued.

READ AGAIN (N), dated ..... 19.....

" " G.O.No.530 P.H " 12.2.1940. (N) 19.....

READ *ALSO*:—

C No. 3578 PH From the P.P.B. Kottur Rlg No 183/40, dated 24.X.1940 page 1-2

" " P.D.B. Bellary Mis. C 4995/40 " 2.11.1940 f. 3 cf

" " D.P.H R " 45962-IFF " 3.1.1941 f. 17 cf

Order / ~~Resolution~~ Memt. No. 293 PH, dated 22.1.1941

To

The P.P.B. Kottur Thro' the P.D.B. Bellary

.. P.D.B. Bellary

.. Collector of Bellary

.. Director of Public Health

.. Inspr. of Mcpl. Cls. & L. Bds.

.. S.C.P. for publn of Notifn in the T.S.G.G.

f 2 cf

The appended notification will be published in the Fort Saint George Gazette.

Vum 7.1.41 2. As regards the proposals — levy a tax of four pies on every square yard of temporary pandals the P.C. Panchayat Board is informed that the taxes of the nature of a licence fee leviable under section 212(2) of the Madras Local Boards Act

11.1.41 (B) cf.

Appendix

Notification

In exercise of the powers conferred by sub-section

sub-section (1) of section 118 of the Madras Public Health Act, 1939 (Madras Act III of 1939), His Excellency the Governor of Madras is hereby pleased to direct that during the period commencing twelve days before and ending seven days after the Makha Bahula Dasami day, tolls shall be levied on ~~vehicles~~ bicycles (~~other than motor vehicles~~) and animals entering the Kottur Panchayat in the Bellary District which has been declared ~~as a~~ ~~fair and festival~~ Centre in Public Health Department Notification No. 96 published at page 124 of Part I-A of the Fort Saint George Gazette, dated the 13th February 1940, at the rates and subject to the exemptions and conditions specified in the Schedule below:—

N/A

1/

N/14

Schedule

Tolls shall be levied

levied at the following rates:-

On every

	Rs. As. Ps.
(1) Bicycle	0-2-0
(2) bullock, horse, cow and buffalo	0-1-0
2(3) Sheep & goats [each],	0-0-6

No tolls shall be levied on any animal not mentioned in this clause.

2(i) The payment of a toll in respect of any vehicle covers the animals engaged in drawing it.

2(a) (ii) (a) Not more than a single payment of toll shall be demanded in respect of any Bicycle vehicle or animal during any one period of 24 hours counted from midnight to midnight.

(b) The person collecting tolls shall give a receipt to the individual making the payment in such form as may be determined by the

the Kothur Panchayat (hereinafter referred to as the local Authority)

3. No tolls shall be levied on any ~~vehicle~~ Bicycle or animal -

(i) belonging to the Central or Provincial Government or the local Authority or temporarily engaged by the Central or Provincial Government or the local authority or by any officer or servant on behalf of the Central or Provincial Government or the local authority for a public purpose;

(ii) Carrying any officer or servant of the Central or Provincial Government or of the local authority on duty or his personal effects;

(iii) Carrying any person or property in the custody of a Police Officer;

(iv) licensed or registered by the local authority during the period for which such ~~vehicle~~ Bicycle or

or animal has been so licensed or registered;

(iv) exempted by or under the Indian Tolls (Army) Act, 1901; or

(vi) Carrying any Military Stores belonging to the Central or Provincial Government.

7.1.41

11.1.41

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